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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,168

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Yasuo Kanazawa

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181 7590 12/18/2008
MILES & STOCKBRIDGE PC
1751 PINNACLE DRIVE
SUITE 500
MCLEAN, VA 22102-3833

EXAMINER

FREEDMAN, LAURA

ART UNIT

PAPER NUMBER

3616

NOTIFICATION DATE

DELIVERY MODE

12/18/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ipdocketing@milesstockbridge.com
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Office Action Summary	Application No. 10/527,168	Applicant(s) KANAZAWA ET AL.	
	Examiner LAURA FREEDMAN	Art Unit 3616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to the amendment filed 25 August 2008, in which claims 1-17 were cancelled and claims 18-24 were added.

Claim Objections

2. Claim 20 is objected to because it appears that Applicant intended for "said elastic sealing portion" to be changed to --said elastic seal portion-- (line 2).

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 18-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudsen (US 1,675,610) in view of Ratti (US 2,926,938). Knudsen discloses a vehicle (some of the vehicle can be seen in figure 1) including a tubular member (for example, including support #22) attached to a panel (for example, including #12) and through which a steering element (for example, including steering column #16) is to pass (for example, as can be seen in figures 2, 3). However, Knudsen does not specifically disclose a hole cover for covering an opening of the tubular member.

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Ratti teaches a hole cover (for example, including #10, 11) for covering an opening of a tubular member (for example, including housing #13) through which a shaft (for example, including #14) is to pass, comprising:

- Seal body (for example, including sealing ring #10) made mainly of elastic material (for example, including synthetic rubber) and including an elastic seal portion (for example, including portion of #10 that creates an oil seal) having a shaft penetration portion (for example, including shaft-engaging portion #16) through which the shaft passes and with which the shaft makes sliding contact in a rotational direction (including top of columns 1, 2)
- Seal retaining member (for example, including ring #11) which fits on the seal body
- The seal retaining member having a plurality of latch projections (for example, including #25) adapted to be pressed against the tubular member substantially along an axis of the shaft so as to be caught in a latch recess (for example, including groove #27) formed in a vicinity of an axial end (for example, including end seen in figures 1-3) of the tubular member
- When the latch projections are caught in the latch recess, the seal retaining member presses the seal body against the axial end of the tubular member so that the elastic seal portion of the seal body is brought into pressure contact with a sealing surface (for example, including surfaces of housing #13 in contact with sealing ring #10, as can be seen in figure 3) formed at the axial end of the tubular member
- When the latch projections are caught in the latch recess, at least one of sound and vibration is produced (for example, including a snap sound/vibration associated with

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snapping projections #25 over annular shoulder #26 in housing #13; including top of column 3)

- The elastic seal portion is configured to make contact with a sealing surface (for example, including sealing surface of housing #13 and sealing surface of shaft #14) having a circular shape (for example, circular shape can be seen in figures 1, 2)
- The latch projections are arranged to be caught in a latch recess (for example, including groove #27) having an annular shape (for example, annular shape can be seen in figures 1, 2)
- Elastic deforming portion (for example, including flexible lip #17 and garter spring #18, or any other portion of sealing ring #10 due to the sealing ring's synthetic rubber composition) that allows movement of the shaft portion relative to another portion of the elastic seal portion (for example, allows movement of shaft #14 relative to all portions of sealing ring #10)
- Retaining member bias means (for example, including slot #21 and band-like formation #22) formed on the seal body for biasing the seal retaining member in a direction away from the panel (able to bias the ring #11 away from the housing #13)
- The latch projections are arranged to be exposed in an assembled state of the seal retaining member with the tubular member (for example, projections #25 are at least partially exposed in an assembled state since groove #27 is wider than a width of the projections #25; can be seen in figure 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the vehicle of Knudsen to include a hole cover, as taught

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by Ratti, so as to provide a durable hole cover with optimal sealing qualities, which is easy to assemble and disassemble, while being applicable to housings made of various materials (Ratti: including column 1). Further, applying a known technique to improve similar devices in the same way, or to a known device ready for improvement, would yield predictable results.

Response to Arguments

5. Applicant's arguments with respect to claims 18-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Trainor discloses a hole cover comprising a seal body and seal retaining member with a snapping action.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LAURA FREEDMAN whose telephone number is (571) 272-2442. The examiner can normally be reached on Monday-Friday, 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Nguyen can be reached on (571) 272-6952. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/John Q. Nguyen/
Supervisory Patent Examiner, Art Unit 3616

Laura Freedman
Examiner
Art Unit 3616